



Reprinted
January 24, 2006

HOUSE BILL No. 1063

DIGEST OF HB 1063 (Updated January 23, 2006 6:13 pm - DI 96)

Citations Affected: IC 25-1; IC 25-20.7.

Synopsis: Registering interior designers. Requires the secretary of state to register interior designers. Establishes the requirements for registration and fees. Requires the secretary of state to deposit the fees into the electronic and enhanced access fund. Provides that a person: (1) may not use the title "registered interior designer" or any title designation sign, card, or device indicating the person is a registered interior designer unless the person has a certificate of registration; and (2) is ineligible for registration if the person has a civil judgment for negligence, recklessness, willful misconduct, or another breach of a standard of care in the practice of interior design entered against the person.

Effective: July 1, 2006.

Hinkle, Torr, Micon

January 4, 2006, read first time and referred to Committee on Employment and Labor.
January 19, 2006, reported — Do Pass.
January 23, 2006, read second time, amended, ordered engrossed.

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HB 1063—LS 6273/DI 110+



Reprinted
January 24, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1063

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-1-2-2.1, AS AMENDED BY P.L.87-2005,
2 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2006]: Sec. 2.1. Rather than being issued annually, the
4 following permits, licenses, certificates of registration, or evidences of
5 authority granted by a state agency must be issued for a period of two
6 (2) years or for the period specified in the article under which the
7 permit, license, certificate of registration, or evidence of authority is
8 issued if the period specified in the article is longer than two (2) years:
9 (1) Certified public accountants, public accountants, and
10 accounting practitioners.
11 (2) Architects and landscape architects.
12 (3) Dry cleaners.
13 (4) Professional engineers.
14 (5) Land surveyors.
15 (6) Real estate brokers.
16 (7) Real estate agents.
17 (8) Security dealers' licenses issued by the securities

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commissioner.
 (9) Dental hygienists.
 (10) Dentists.
 (11) Veterinarians.
 (12) Physicians.
 (13) Chiropractors.
 (14) Physical therapists.
 (15) Optometrists.
 (16) Pharmacists and assistants, drugstores, or pharmacies.
 (17) Motels and mobile home community licenses.
 (18) Nurses.
 (19) Podiatrists.
 (20) Occupational therapists and occupational therapy assistants.
 (21) Respiratory care practitioners.
 (22) Social workers, marriage and family therapists, and mental health counselors.
 (23) Real estate appraiser licenses and certificates issued by the real estate appraiser licensure and certification board.
 (24) Wholesale legend drug distributors.
 (25) Physician assistants.
 (26) Dietitians.
 (27) Hypnotists.
 (28) Athlete agents.
 (29) Manufactured home installers.
 (30) Home inspectors.

(31) Interior designers.

SECTION 2. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2006]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

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- 1 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 2 (2) Board of registration for architects and landscape architects
- 3 (IC 25-4-1-2).
- 4 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 5 (4) State board of barber examiners (IC 25-7-5-1).
- 6 (5) State boxing commission (IC 25-9-1).
- 7 (6) Board of chiropractic examiners (IC 25-10-1).
- 8 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 9 (8) State board of dentistry (IC 25-14-1).
- 10 (9) State board of funeral and cemetery service (IC 25-15-9).
- 11 (10) State board of registration for professional engineers
- 12 (IC 25-31-1-3).
- 13 (11) Indiana state board of health facility administrators
- 14 (IC 25-19-1).
- 15 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 16 (13) Indiana state board of nursing (IC 25-23-1).
- 17 (14) Indiana optometry board (IC 25-24).
- 18 (15) Indiana board of pharmacy (IC 25-26).
- 19 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 20 (17) Board of podiatric medicine (IC 25-29-2-1).
- 21 (18) Board of environmental health specialists (IC 25-32-1).
- 22 (19) State psychology board (IC 25-33).
- 23 (20) Speech-language pathology and audiology board
- 24 (IC 25-35.6-2).
- 25 (21) Indiana real estate commission (IC 25-34.1-2).
- 26 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 27 (23) Department of natural resources for purposes of licensing
- 28 water well drillers under IC 25-39-3.
- 29 (24) Respiratory care committee (IC 25-34.5).
- 30 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 31 (26) Occupational therapy committee (IC 25-23.5).
- 32 (27) Social worker, marriage and family therapist, and mental
- 33 health counselor board (IC 25-23.6).
- 34 (28) Real estate appraiser licensure and certification board
- 35 (IC 25-34.1-8).
- 36 (29) State board of registration for land surveyors
- 37 (IC 25-21.5-2-1).
- 38 (30) Physician assistant committee (IC 25-27.5).
- 39 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 40 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 41 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 42 (34) Indiana physical therapy committee (IC 25-27).

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- (35) Manufactured home installer licensing board (IC 25-23.7).
 (36) Home inspectors licensing board (IC 25-20.2-3-1).
(37) Office of the secretary of state for purposes of registering interior designers (IC 25-20.7).
~~(37)~~ **(38)** Any other occupational or professional agency created after June 30, 1981.

SECTION 3. IC 25-1-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) State board of cosmetology examiners (IC 25-8-3-1).
- (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- (8) State board of funeral and cemetery service (IC 25-15-9).
- (9) State board of registration for professional engineers (IC 25-31-1-3).
- (10) Indiana plumbing commission (IC 25-28.5-1-3).
- (11) Indiana real estate commission (IC 25-34.1-2-1).
- (12) Real estate appraiser licensure certification board (IC 25-34.1-8).
- (13) Private detectives licensing board (IC 25-30-1-5.1).
- (14) Manufactured home installer licensing board (IC 25-23.7).
- (15) Home inspectors licensing board (IC 25-20.2-3-1).
- (16) Office of the secretary of state (IC 25-20.7).**

SECTION 4. IC 25-20.7 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

ARTICLE 20.7. INTERIOR DESIGNERS

Chapter 1. Application

Sec. 1. This article applies to a person who practices interior design after December 31, 2006.

Sec. 2. This article does not apply to an owner or employee of a manufacturing, wholesale, or retail establishment who provides consultation regarding interior decoration or furnishing:

- (1) on the premises of the establishment;
- (2) for purposes of an actual or prospective retail sale; or
- (3) the design, construction, ordering, or sale of:
 - (A) recreational vehicles;

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(B) manufactured homes certified through the United States Department of Housing and Urban Development; or
 (C) industrialized building systems certified through the department of homeland security.

Sec. 3. This article does not apply to a person who:

- (1) does not profess to be a registered interior designer; and
- (2) is:
 - (A) an architect registered under IC 25-4; or
 - (B) a professional engineer registered under IC 25-31.

Chapter 2. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Applicant" means an interior designer who applies for a certificate of registration under this article.

Sec. 3. "ARE" refers to the Architectural Registration Exam.

Sec. 4. (a) "Interior design" means client consultation and preparation and administration of design documents relating to nonstructural and nonseismic interior elements of a building or structure. The scope of work provided by interior designers may include the following:

- (1) Programming, the interview and analysis phase that develops the needs of clients.
- (2) Space planning, the initial layout of an interior space.
- (3) Demolition plans of nonstructural interior items as related to the project space.
- (4) Reflected ceiling plans.
- (5) Electrical and data outlet locations on construction plans.
- (6) Casework:
 - (A) plans;
 - (B) elevations; and
 - (C) sections.
- (7) Interior:
 - (A) equipment; and
 - (B) fixture;
 location plans.
- (8) Ergonomic evaluation of:
 - (A) environment; and
 - (B) furniture.
- (9) Furniture:
 - (A) specifications; and
 - (B) location plans.
- (10) Artwork, signage, and plant specifications and location

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plans.

(11) Contracting with consultants for:

- (A) mechanical;
- (B) plumbing;
- (C) electrical;
- (D) structural; and
- (E) architectural;

services.

(12) Construction:

- (A) administration; and
- (B) observation;

as they apply to the project scope of work.

(b) Drawing, plans, specifications, and reports under this definition may include the following:

(1) Detailed dimensioned floor plans drawn to scale for all floors showing the following items:

- (A) Wall configuration and fire rating.
- (B) Exitways.
- (C) Doors.
- (D) Windows.
- (E) Location of plumbing fixtures.
- (F) Chairlifts.
- (G) Elevators.
- (H) Room designation.

(2) Fire and life safety plans, including those provided by contracted professionals. Fire and life safety plans must show graphically or by legend the location and rating of building elements, such as the following:

- (A) Area separation walls.
- (B) Occupancy separation walls.
- (C) Smoke barriers.
- (D) Fire-rated corridor walls.
- (E) Stair enclosures.
- (F) Shaft enclosures.
- (G) Horizontal exits.

(3) Sections and details of interior walls showing dimensions and materials.

(4) Details indicating how required structural and fire-resistive integrity will be maintained where wall, floor, and ceiling penetrations will be made for the location of:

- (A) electrical;
- (B) mechanical;

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- 1 (C) plumbing;
- 2 (D) communications conduit;
- 3 (E) pipes; and
- 4 (F) similar;
- 5 systems.
- 6 (5) Room finish schedules showing finishes for walls, ceilings,
- 7 and floors in the following:
- 8 (A) All rooms.
- 9 (B) Stairways.
- 10 (C) Corridors.
- 11 (6) Door schedules that show:
- 12 (A) material;
- 13 (B) size;
- 14 (C) thickness; and
- 15 (D) fire resistance rating;
- 16 for all doors, frames, and hardware.
- 17 (7) Accessibility details that include the following:
- 18 (A) Interior ramps with slopes.
- 19 (B) Dimensioned restroom plans and clearances.
- 20 (C) Grab bars.
- 21 (D) Door swing and size.
- 22 (E) Special seating accommodations.
- 23 (c) For purposes of this definition, drawings, plans,
- 24 specifications, and reports for the following may be included in the
- 25 set of drawings as submitted for design release if stamped by the
- 26 appropriate professional as otherwise provided in this title:
- 27 (1) A site plan drawn to scale, showing the dimensioned
- 28 location of building property lines and all buildings adjacent
- 29 to the property, as well as the width of streets or easements
- 30 bordering the property.
- 31 (2) Foundation and basement plans.
- 32 (3) Wall elevations of all exterior walls.
- 33 (4) Sections and details of exterior walls and roof showing the
- 34 following:
- 35 (A) Dimensions.
- 36 (B) Materials.
- 37 (C) Heat transfer ratings.
- 38 (5) Structural plans and elevations showing:
- 39 (A) the size and location of all members;
- 40 (B) truss designs showing all connection details; and
- 41 (C) all stress calculations, if specifically requested.
- 42 (6) Electrical plans showing the following:

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- 1 (A) Electrical distribution system.
- 2 (B) Service equipment.
- 3 (C) Grounding methods.
- 4 (D) Emergency and standby power systems.
- 5 (E) Any power or lighting information required for
- 6 compliance with the Indiana Energy Conservation Code
- 7 under 675 IAC 19.
- 8 (7) Plumbing plans showing the following:
- 9 (A) Risers.
- 10 (B) Drains.
- 11 (C) Piping isometrics.
- 12 (8) Mechanical plans showing the following:
- 13 (A) Location and size of ductwork.
- 14 (B) Equipment.
- 15 (C) Fire dampers.
- 16 (D) Smoke dampers.
- 17 (E) Equipment schedules showing capacity.
- 18 (9) Energy conservation details, including the following:
- 19 (A) Design criteria.
- 20 (B) Exterior envelope component materials.
- 21 (C) U values of the envelope system.
- 22 (D) R values of the insulating materials.
- 23 (E) Size and type of equipment.
- 24 (F) Systems controls.
- 25 (10) Plans for automatic fire extinguishing systems showing
- 26 the following:
- 27 (A) Automatic sprinkler piping size and spacing.
- 28 (B) Standpipes.
- 29 (C) Fire pumps.
- 30 (D) Water supply data.
- 31 (E) Rating of sprinkler heads.
- 32 (F) Other specific requirements contained in NFPA
- 33 Standards 11, 12, 13, 13R, 14, 20, and 2001 as adopted in
- 34 675 IAC 13.
- 35 (11) Plans for fire protection and alarms systems showing the
- 36 following:
- 37 (A) The location and type of detection activation devices,
- 38 whether automatic or manual.
- 39 (B) Control panels.
- 40 (C) Annunciator panels and zones.
- 41 (D) Water flow devices.
- 42 (E) Other specific requirements contained in NFPA

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Standard 72 as adopted in 675 IAC 22.

(12) Plans for public swimming pools showing the following:

- (A) Area and volume.
- (B) Enclosure for the pool area.
- (C) Turnover rate.
- (D) Filtration and circulation system.
- (E) Swimmer load.
- (F) Materials.
- (G) Shape and depth of pool.
- (H) Deck design.
- (I) Ladders.
- (J) Steps.
- (K) Drainage system.
- (L) Water supply system.
- (M) Electrical system.

Sec. 5. "Interior designer" means a person who practices interior design.

Sec. 6. "NCIDQ" refers to the National Council for Interior Design Qualification.

Sec. 7. "Nonstructural or nonseismic" means interior elements or components that:

- (1) are not load bearing or do not assist in the seismic design of a building;
- (2) do not require design computations for the structure of a building; and
- (3) do not include the structural frame system supporting a building.

The term includes ceiling and partition systems that employ normal and typical bracing conventions and are not part of the structural integrity of the building.

Sec. 8. "Out-of-state applicant" means an individual who is:

- (1) an interior designer registered or licensed under the laws of another state, a foreign country, or a province in a foreign country; and
- (2) an applicant for a certificate of registration under this article.

Sec. 9. "Reflected ceiling plan" means ceiling location plans for items that are visible in the ceiling, including but not limited to the following:

- (1) Ceiling materials.
- (2) Bulkheads.
- (3) Light fixtures.

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(4) Speakers.

(5) Exit signs as required by code.

Sec. 10. "Registered interior designer" means a person registered under this article.

Sec. 11. "Secretary of state" means the office of the secretary of state.

Chapter 3. Registration Requirements

Sec. 1. (a) The secretary of state shall maintain a registry of all interior designers who:

(1) apply for and meet the registration requirements under this article; and

(2) pay the annual registration fee.

(b) The registry must:

(1) be maintained in an electronic format; and

(2) include the:

(A) name of each registered interior designer; and

(B) date the interior designer registered with the secretary of state under this article.

Sec. 2. The secretary of state shall issue a certificate of registration to an applicant who does the following:

(1) Applies for the certificate of registration on a form prescribed by the secretary of state.

(2) Meets the requirements of this article.

(3) Pays the registration fee under section 5 of this chapter.

Sec. 3. The secretary of state shall issue a certificate of registration to an applicant who satisfies section 2 of this chapter and the following:

(1) Meets one (1) of the following requirements:

(A) Completes a degree in interior design or a similar discipline from an accredited college or university.

(B) Obtains:

(i) four (4) years of interior design higher education and two (2) years of full-time work experience in interior design;

(ii) three (3) years of interior design higher education and three (3) years of full-time work experience in interior design; or

(iii) two (2) years of interior design education and four (4) years of full-time work experience in interior design.

(2) Except as provided in section 4 of this chapter, an applicant must pass:

(A) the examination administered by the NCIDQ; or

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(B) the ARE.

Sec. 4. The examination requirement under section 3(2) of this chapter is waived if the applicant holds:

(1) a valid license or certificate in interior design from an authority in another jurisdiction that has standards substantially equivalent to the standards established under this article; and

(2) a current certificate issued by the NCIDQ or documentation of the successful completion of the ARE.

Sec. 5. (a) The secretary of state shall collect the following fees under this article:

(1) An initial registration fee of one hundred dollars (\$100).

(2) A biennial renewal fee of one hundred dollars (\$100).

(3) A restoration fee of three hundred dollars (\$300).

(b) The fees collected by the secretary of state under this article shall be deposited into the electronic and enhanced access fund established by IC 4-5-10-5.

Sec. 6. To qualify for registration under this article, the applicant must not have a conviction for:

(1) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; or

(2) a felony that has a direct bearing on the applicant's ability to practice competently.

Sec. 7. The secretary of state shall grant a certificate of registration to an out-of-state applicant on the following conditions:

(1) The out-of-state applicant must:

(A) be at least eighteen (18) years of age; and

(B) pay the fee under section 5 of this chapter.

(2) The out-of-state applicant must:

(A) pass:

(i) the examination administered by the NCIDQ; or

(ii) the ARE; or

(B) hold a valid license or certificate of registration in interior design from an authority in another jurisdiction that has standards substantially equivalent to the standards established under this article.

(3) The out-of-state applicant must not have been convicted of:

(A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; or

(B) a felony that has a direct bearing on the applicant's

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1 ability to practice competently.

2 Sec. 8. A registered interior designer shall display the certificate
3 of registration in a conspicuous place in the:

- 4 (1) principal office;
5 (2) place of business; or
6 (3) place of employment;

7 of the registered interior designer.

8 Sec. 9. (a) A registered interior designer shall have a seal or
9 design authorized by the secretary of state, the impression of which
10 must contain:

- 11 (1) the name of the interior designer;
12 (2) the words, "registered interior designer" and "state of
13 Indiana"; and
14 (3) the expiration date of the certificate of registration.

15 (b) A registered interior designer must place the seal or design
16 described in subsection (a) and signature of the registered interior
17 designer on any interior design construction documents issued by
18 the registered interior designer and filed for public record to
19 obtain a building permit, design release, or other approval
20 necessary for the project, including:

- 21 (1) drawings;
22 (2) plans;
23 (3) specifications; and
24 (4) reports.

25 (c) If a certificate of registration is revoked or suspended, the
26 interior designer shall return the seal or design to the secretary of
27 state not later than thirty (30) days after the date the certificate is
28 revoked or suspended. The secretary of state shall return the seal
29 or design to the interior designer if the suspension is removed.

30 Sec. 10. The secretary of state may issue a certificate of
31 registration to an applicant who completes the requirements under
32 section 2 of this chapter if the applicant provides proof to the
33 secretary of state that:

- 34 (1) the applicant has:
35 (A) received at least two (2) years of interior design
36 education; and
37 (B) practiced in the field of interior design for at least ten
38 (10) years; or
39 (2) the applicant has practiced interior design for at least
40 fifteen (15) years.

41 However, an interior designer registered under this section may
42 not place a seal or design and signature on interior design

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1 construction documents as set forth in section 9(b) of this chapter
 2 to obtain a building permit unless the interior designer has passed
 3 the examination administered by the NCIDQ or the ARE.

4 Sec. 11. The secretary of state shall keep a register of all
 5 applicants who apply for a certificate of registration, showing for
 6 each applicant:

- 7 (1) the date of application;
- 8 (2) the name, age, and other qualifications;
- 9 (3) the place of business;
- 10 (4) the place of residence;
- 11 (5) whether the applicant was denied or granted a certificate
- 12 of registration under this article; and
- 13 (6) the date the applicant was denied or granted a certificate
- 14 of registration.

15 Chapter 4. Renewal and Restoration of a Certificate of
 16 Registration

17 Sec. 1. A registered interior designer who applies to renew a
 18 certificate of registration under this chapter must:

- 19 (1) furnish evidence showing successful completion of the
- 20 continuing education requirements under section 3 of this
- 21 chapter; and
- 22 (2) pay the renewal fee under IC 25-20.7-3-5.

23 Sec. 2. The secretary of state shall do the following:

- 24 (1) Send renewal notices in accordance with IC 25-1-2-6(c).
- 25 (2) Accept cash, a draft, a money order, a cashier's check, or
- 26 a certified or other personal check for a payment of the
- 27 renewal fee. If the secretary of state receives an uncertified
- 28 personal check for the payment of a fee and if the check does
- 29 not clear the bank, the secretary of state may void the
- 30 certificate of registration for which the check was received.

31 Sec. 3. A registered interior designer must complete at least
 32 twelve (12) hours of continuing education in interior design or a
 33 discipline related to the practice of interior design for the renewal
 34 of a certificate of registration under this chapter.

35 Sec. 4. (a) A registered interior designer who continues to
 36 actively practice interior design shall:

- 37 (1) renew the certificate of registration not more than ninety
- 38 (90) days before the expiration of the certificate; and
- 39 (2) pay the renewal fee under IC 25-20.7-3-5.

40 (b) Subject to subsection (c), a registered interior designer who
 41 fails to renew the interior designer's certificate of registration for
 42 a period of not more than five (5) years after the date the

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certificate of registration expires may have the certificate of registration renewed at any time within the five (5) year period after the certificate of registration expires upon:

(1) making application to the secretary of state for renewal of the certificate of registration; and

(2) paying a renewal fee equal to the sum of the renewal fees that the applicant would have paid if the applicant had regularly renewed the certificate of registration during the period the certificate of registration lapsed.

(c) If a registered interior designer desires to retire from the practice of interior design in Indiana, the interior designer may submit to the secretary of state a verified statement of intention to withdraw from practice. The statement shall be entered in the records of the secretary of state. During the period of the interior designer's retirement, the interior designer is not liable for any renewal or restoration fees. If a retired interior designer desires to return to the practice of interior design in Indiana not later than five (5) years after the date the interior designer files a statement under this subsection, the retired interior designer must:

(1) file with the secretary of state a verified statement indicating the interior designer's desire to return to the practice of interior design; and

(2) pay:

(A) the renewal fee under IC 25-20.7-3-5 to renew an unexpired certificate of registration under this chapter, if the retired interior designer's certificate of registration is renewed for one (1) year or more in a biennial renewal cycle; or

(B) a renewal fee equal to one-half (1/2) the renewal fee under IC 25-20.7-3-5 to renew an unexpired certificate of registration under this chapter, if the retired interior designer's certificate of registration is renewed for less than one (1) year in a biennial renewal cycle.

(d) After the five (5) year period set forth in subsection (c), a retired registered interior designer who desires to return to the practice of interior design in Indiana must:

(1) apply to the secretary of state for a new certificate of registration;

(2) pay the initial registration fee under IC 25-20.7-3-5; and

(3) meet the requirements of this article.

Sec. 5. After the five (5) year period set forth in section 4(b) of this chapter, an interior designer whose certificate of registration

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has expired may have the certificate of registration restored only upon:

- (1) making application to the secretary of state for restoration of the certificate of registration; and
- (2) paying the restoration fee under IC 25-20.7-3-5.

Chapter 5. Restrictions; Enforcement

Sec. 1. A person may practice interior design if the person has not been registered with the secretary of state under this article if the person does not use a title, designation sign, card, or device under section 2(a) of this chapter.

Sec. 2. (a) A person may not use the title "registered interior designer" or any title designation sign, card, or device indicating that the person is a registered interior designer unless the person has registered with the secretary of state under this article.

(b) A person may not:

(1) present as the person's own a:

- (A) certificate of registration under this article; or
- (B) seal or design authorized under IC 25-20.7-3-9;

of another person;

(2) give any false or forged evidence of any kind:

- (A) to the secretary of state; or
- (B) in obtaining a certificate of registration;

(3) impersonate any other registered interior designer; or

(4) use an expired, suspended, or revoked certificate of registration.

(c) A person who recklessly, knowingly, or intentionally violates this section commits a Class B misdemeanor.

Sec. 3. The secretary of state may suspend or revoke a certificate of registration under this article for a violation under section 2(b) of this chapter.

Sec. 4. This article does not prevent a person from practicing interior design if the person does not use a title or designation under section 2(a) of this chapter.

Sec. 5. (a) If an interior designer has a civil judgment entered against the interior designer by a court with jurisdiction in a civil judicial proceeding for negligence, recklessness, willful misconduct, or other breach of a standard of care in the practice of interior design, the secretary of state shall immediately revoke the interior designer's certificate of registration under this article.

(b) An interior designer who has a civil judgment described in subsection (a) entered against the interior designer may not be registered under this article.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment and Labor, to which was referred House Bill 1063, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

TORR, Chair

Committee Vote: yeas 9, nays 2.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1063 be amended to read as follows:

Page 4, line 36, after "a" insert "**manufacturing, wholesale, or**".

Page 4, line 39, delete "retail".

Page 4, line 39, delete "or".

Page 4, line 40, delete "." and insert "**; or**".

Page 4, between lines 40 and 41, begin a new line block indented and insert:

"(3) the design, construction, ordering, or sale of:

(A) recreational vehicles;

(B) manufactured homes certified through the United States Department of Housing and Urban Development; or

(C) industrialized building systems certified through the department of homeland security."

Page 5, delete lines 10 through 24, begin a new paragraph and insert:

"Sec. 4. (a) "Interior design" means client consultation and preparation and administration of design documents relating to nonstructural and nonseismic interior elements of a building or structure. The scope of work provided by interior designers may include the following:

(1) Programming, the interview and analysis phase that develops the needs of clients.

(2) Space planning, the initial layout of an interior space.

(3) Demolition plans of nonstructural interior items as related to the project space.

(4) Reflected ceiling plans.

(5) Electrical and data outlet locations on construction plans.

(6) Casework:

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- (A) plans;
- (B) elevations; and
- (C) sections.
- (7) Interior:
 - (A) equipment; and
 - (B) fixture;
 location plans.
- (8) Ergonomic evaluation of:
 - (A) environment; and
 - (B) furniture.
- (9) Furniture:
 - (A) specifications; and
 - (B) location plans.
- (10) Artwork, signage, and plant specifications and location plans.
- (11) Contracting with consultants for:
 - (A) mechanical;
 - (B) plumbing;
 - (C) electrical;
 - (D) structural; and
 - (E) architectural;
 services.
- (12) Construction:
 - (A) administration; and
 - (B) observation;
 as they apply to the project scope of work.
- (b) Drawing, plans, specifications, and reports under this definition may include the following:
 - (1) Detailed dimensioned floor plans drawn to scale for all floors showing the following items:
 - (A) Wall configuration and fire rating.
 - (B) Exitways.
 - (C) Doors.
 - (D) Windows.
 - (E) Location of plumbing fixtures.
 - (F) Chairlifts.
 - (G) Elevators.
 - (H) Room designation.
 - (2) Fire and life safety plans, including those provided by contracted professionals. Fire and life safety plans must show graphically or by legend the location and rating of building elements, such as the following:

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- (A) Area separation walls.
 - (B) Occupancy separation walls.
 - (C) Smoke barriers.
 - (D) Fire-rated corridor walls.
 - (E) Stair enclosures.
 - (F) Shaft enclosures.
 - (G) Horizontal exits.
- (3) Sections and details of interior walls showing dimensions and materials.
- (4) Details indicating how required structural and fire-resistive integrity will be maintained where wall, floor, and ceiling penetrations will be made for the location of:
- (A) electrical;
 - (B) mechanical;
 - (C) plumbing;
 - (D) communications conduit;
 - (E) pipes; and
 - (F) similar;
- systems.
- (5) Room finish schedules showing finishes for walls, ceilings, and floors in the following:
- (A) All rooms.
 - (B) Stairways.
 - (C) Corridors.
- (6) Door schedules that show:
- (A) material;
 - (B) size;
 - (C) thickness; and
 - (D) fire resistance rating;
- for all doors, frames, and hardware.
- (7) Accessibility details that include the following:
- (A) Interior ramps with slopes.
 - (B) Dimensioned restroom plans and clearances.
 - (C) Grab bars.
 - (D) Door swing and size.
 - (E) Special seating accommodations.
- (c) For purposes of this definition, drawings, plans, specifications, and reports for the following may be included in the set of drawings as submitted for design release if stamped by the appropriate professional as otherwise provided in this title:
- (1) A site plan drawn to scale, showing the dimensioned location of building property lines and all buildings adjacent

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to the property, as well as the width of streets or easements bordering the property.

- (2) Foundation and basement plans.
- (3) Wall elevations of all exterior walls.
- (4) Sections and details of exterior walls and roof showing the following:
 - (A) Dimensions.
 - (B) Materials.
 - (C) Heat transfer ratings.
- (5) Structural plans and elevations showing:
 - (A) the size and location of all members;
 - (B) truss designs showing all connection details; and
 - (C) all stress calculations, if specifically requested.
- (6) Electrical plans showing the following:
 - (A) Electrical distribution system.
 - (B) Service equipment.
 - (C) Grounding methods.
 - (D) Emergency and standby power systems.
 - (E) Any power or lighting information required for compliance with the Indiana Energy Conservation Code under 675 IAC 19.
- (7) Plumbing plans showing the following:
 - (A) Risers.
 - (B) Drains.
 - (C) Piping isometrics.
- (8) Mechanical plans showing the following:
 - (A) Location and size of ductwork.
 - (B) Equipment.
 - (C) Fire dampers.
 - (D) Smoke dampers.
 - (E) Equipment schedules showing capacity.
- (9) Energy conservation details, including the following:
 - (A) Design criteria.
 - (B) Exterior envelope component materials.
 - (C) U values of the envelope system.
 - (D) R values of the insulating materials.
 - (E) Size and type of equipment.
 - (F) Systems controls.
- (10) Plans for automatic fire extinguishing systems showing the following:
 - (A) Automatic sprinkler piping size and spacing.
 - (B) Standpipes.

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- (C) Fire pumps.
- (D) Water supply data.
- (E) Rating of sprinkler heads.
- (F) Other specific requirements contained in NFPA Standards 11, 12, 13, 13R, 14, 20, and 2001 as adopted in 675 IAC 13.

(11) Plans for fire protection and alarms systems showing the following:

- (A) The location and type of detection activation devices, whether automatic or manual.
- (B) Control panels.
- (C) Annuciator panels and zones.
- (D) Water flow devices.
- (E) Other specific requirements contained in NFPA Standard 72 as adopted in 675 IAC 22.

(12) Plans for public swimming pools showing the following:

- (A) Area and volume.
- (B) Enclosure for the pool area.
- (C) Turnover rate.
- (D) Filtration and circulation system.
- (E) Swimmer load.
- (F) Materials.
- (G) Shape and depth of pool.
- (H) Deck design.
- (I) Ladders.
- (J) Steps.
- (K) Drainage system.
- (L) Water supply system.
- (M) Electrical system."

Page 6, line 4, delete "a".

Page 6, line 4, delete "design that" and insert "**location plans for items that are visible in the ceiling, including but not limited to the following:**

- (1) Ceiling materials.
- (2) Bulkheads.
- (3) Light fixtures.
- (4) Speakers.
- (5) Exit signs as required by code."

Page 6, delete lines 5 through 6.

Page 6, delete lines 11 through 13.

Page 8, line 26, after "permit," insert "**design release, or other approval necessary for the project,**".

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Page 11, between lines 12 and 13, begin a new paragraph and insert:

"Sec. 1. A person may practice interior design if the person has not been registered with the secretary of state under this article if the person does not use a title, designation sign, card, or device under section 2(a) of this chapter."

Page 11, line 13, delete "1." and insert "2."

Page 11, line 30, delete "2." and insert "3."

Page 11, line 32, delete "1(b)" and insert "2(b)".

Page 11, line 33, delete "3." and insert "4."

Page 11, line 35, delete "1(a)" and insert "2(a)".

Page 11, line 36, delete "4." and insert "5."

(Reference is to HB 1063 as printed January 20, 2006.)

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